

## ZILKA-KOTAB

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APR 06 2005

## FAX COVER SHEET

Date: April 6, 2005	Phone Number	Fax Number
To: Examiner McFadden		(703) 872-9306
From: Kevin J. Zilka		

Docket No.: BVOC001

App. No: 09/769,880

Total Number of Pages Being Transmitted, Including Cover Sheet: 05

## Message:

Please deliver to Examiner McFadden.

Thank you,

Kevin J. Zilka

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

\*\*\*\*\*  
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April 6, 2005

Practitioner's Docket No. BVOC001

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bertrand A. Damiba

Application No.: 09/769,880

Group No.: 2655

Filed: January 24, 2001

Examiner: McFadden, S.

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR A DISTRIBUTED  
SPEECH RECOGNITION TUNING PLATFORMRECEIVED  
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APR 06 2005

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 6, 2005, finally rejecting claims 1-6, 11 and 16-26.

## 1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on January 24, 2001.

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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## TRANSMISSION

— facsimile transmitted to the Patent and Trademark Office, (703) 872-9306

Date: 4/6/2005Signature 

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(j). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity \$250.00

Notice of Appeal fee due \$250.00

**3. EXTENSION OF TERM**

Applicants believe no Extension of Term is necessary. However, if an extension of time is required, please consider this a petition therefor. Please charge the necessary fees to deposit account 50-1351 (Order No. BVOC001).

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$250.00

**TOTAL FEE DUE \$250.00**

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$250.00 to Deposit Account No. 50-1351 (Order No. BVOC001).

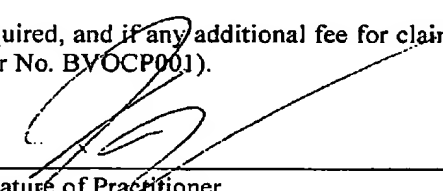
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**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. BVOC001).

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875

  
\_\_\_\_\_  
Signature of Practitioner  
Kevin J. Zilka  
Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

Notice of Appeal from the Primary Examiner to Board--page 2 of 2

Practitioner's Docket No. BVOC001

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bertrand A. Damiba

A large, bold, black stamp with the word "COPY" in a sans-serif font, preceded by a small icon of a document with a folded corner.

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Group No.: 2655

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Examiner: McFadden, S.

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Date:

4/6/2005

Signature

A handwritten signature in black ink, appearing to read "Erica L. Farlow".

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(f). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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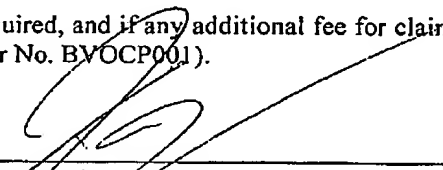
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